

Trustees, University of Health Science, Chicago Medical School.

Hearings continue Thursday, July 22.

ESTATE AND GIFT TAX REFORM ACT

Committee on Ways and Means: Continued markup of H.R. 13966, Estate and Gift Tax Reform Act of 1976, and will resume tomorrow.

Wednesday, July 21, 1976

Senate

Chamber Action

Routine Proceedings, pages 22991-23088

Bills Introduced: Nine bills and two resolutions were introduced, as follows: S. 3680-3688; and S. Res. 489-490.

Pages 22994, 23006, 23083-23084

Bills Reported: Reports were made as follows:

S. 2780, to eliminate the defense of Res. adjudicata to permit certain Sioux Tribes to relitigate a claim respecting the transfer of the Black Hills to the United States in 1877, with an amendment, (S. Rept. 94-1042);

Conference report on H.R. 13655, authorizing funds through fiscal year 1978 to promote research and development in automotive technology (S. Rept. 94-1043);

H. R. 7685, a private bill (S. Rept. 94-1044);

S. 2028, to strengthen and facilitate the carrying out of antitrust and procompetitive policies by agencies of the Federal Government, with amendments (together with minority views) (S. Rept. 94-1045) referred to Committee on Commerce for not to exceed 30 days.

Pages 22993-22994

Bills Passed:

Wilderness Areas: Senate passed with committee substitute amendment and sent to the House S. 1026, designating as wilderness portions of 17 National Wildlife Refuge areas in 12 States.

Pages 23063-23064

California Kidnapping: Senate agreed to S. Res. 489, stating the sense of the Senate with regard to the recent kidnapping of school children in Chowchilla, California.

Pages 23083-23084

Watergate Reform: By 91 yeas to 5 nays, Senate passed S. 495, to establish Federal offices to implement certain reforms in the Federal Government, after agreeing to additional amendments proposed thereto, as follows:

(1) Javits unprinted amendment No. 216, to authorize interim funding for 12 month period for activities for the Office of the Congressional Legal Counsel (title II);

Page 23063

(2) Bentsen unprinted amendment No. 217 (to Ribicoff unprinted amendment No. 214) to provide that any person who has played a leading partisan roll in the election of the President shall not be appointed Attorney General or Deputy Attorney General;

Page 23065

(3) Ribicoff (for Nunn) unprinted amendment No. 218 (to U.P. amendment No. 214), clarifying conditions under which a Special Prosecutor shall be removed from office by the President;

Page 23065

(4) Ribicoff unprinted amendment No. 219, requiring Comptroller General to promulgate rules and regulations to carry out provisions of title III, Financial Disclosure Requirements;

Page 23065

(5) Ribicoff unprinted amendment No. 214, in the nature of a substitute for title I of the bill, as amended;

Page 23039

(6) Modified Haskell unprinted amendment No. 220, calling for Civil Service Commission and Department of Justice to analyze current regulations and procedures concerning financial conflict of interests among Federal employees, and to recommend proposed remedial legislation to the Congress;

Page 23068

(7) Modified Javits unprinted amendment No. 221, designed to prevent an office holder from transferring assets to members of his family in order to avoid disclosure of such assets; and

Page 23070

(8) Ribicoff unprinted amendment No. 223, to assure that a "discovery order of a competent court" prevails in criminal cases involving financial disclosure.

Page 23072

Pages 23039-23081

Veto-Override—Public Works Employment: Senate considered Presidential veto message on S. 3201, authorizing funds for anti-recessionary public works employment programs, and, by 73 yeas to 24 nays, two-thirds of the Senators present and voting having voted in the affirmative, the bill on reconsideration was passed, the objection of the President to the contrary notwithstanding.

Pages 23084-23096

Common Carrier Tariff Proceedings: Senate agreed to the House amendment to S. 2054, extending to 90 days the period of notice required before a common carrier tariff may be changed, and extending to 5 months the period during which the FCC may suspend the effectiveness of new or revised tariff schedules, thus clearing the measure for the White House.

Page 23107

Tax Reform: Senate continued consideration of H.R. 10612, proposed Tax Reform Act of 1976, taking action on amendments proposed thereto as follows:

Adopted:

(1) Modified Hartke amendment No. 2043 (to committee amendment No. 18—title VIII), limitations on foreign tax credit for income taxes paid in connection with foreign oil and gas extraction income;

Page 23096

(2) By 70 yeas to 22 nays, Kennedy amendment No. 2046 (to title V), making the 15 percent tax credit for persons age 65 or over effective immediately; **Page 23105**

(3) By 71 yeas to 21 nays, Kennedy amendment No. 2014 (to title V), to provide a refundable tax credit for child and dependent care expenses; and **Page 23113**

Rejected: By 18 yeas to 70 nays, Hathaway amendment No. 1922 (to title V), to provide a \$175 tax credit in lieu of \$750 deduction for personal exemption. **Page 23117**

Pending at adjournment was Javits amendment No. 1901 (to title VIII of the bill), donations of works of art by artists to charitable organizations. **Page 23121**

Pages 23096–23123

Bills Referred: Sundry House-passed bills were referred to appropriate Senate Committees. **Page 22993**

Messages From the House: Senate received one message from the House today. **Page 22991**

Amendments Submitted for Printing:

Pages 23006–23010

Military Construction Authorizations: By unanimous consent it was agreed that if the House overrides Presidential veto of H.R. 12384, authorizing funds for military construction for fiscal year 1977, Senate, at 3:30 p.m. (if received from the House), will take up such veto message and vote on question of overriding the veto at 4 p.m. **Page 23123**

Presidential Message: Senate received a message from the President transmitting the 10th Annual Report of the National Endowment for the Humanities covering its activities for fiscal year 1975—referred to Committee on Labor and Public Welfare. **Page 22991**

Presidential Communication: Senate received a communication from the President transmitting the first annual report on Federal Agency Activities Under the Privacy Act of 1974—referred to Committee on Government Operations. **Pages 22991–22992**

Confirmations: Senate confirmed the following nominations:

David H. Stowe, of Maryland, to be a Member of the National Mediation Board; and

The following-named persons to be members of the National Commission on Libraries and Information Science: Ralph A. Renick, of Florida; Frederick H. Burkhardt, of Vermont; Marian Pollensky Leith, of North Carolina; and Mildred E. Younger, of California. **Page 23124**

Nominations: Senate received the following nominations:

Ignacio E. Lozano, Jr., of California, to be Ambassador to El Salvador;

Stanley E. Shirk, of Connecticut, to be Comptroller of the Currency;

H. Guyford Stever, of the District of Columbia, to be Director of the Office of Science and Technology Policy;

Joseph R. Fogarty, of Rhode Island, to be a member of the Federal Communications Commission; and

Patrick J. Delaney, of New York, to be a member of the Securities and Exchange Commission. **Page 23123**

Record Votes: Five record votes were taken today (total—402).

Pages 23075, 23096, 23113, 23117, 23120–23121

Adjournment: Senate met at 9 a.m. and adjourned at 6:51 p.m. **Page 23123**

Committee Meetings

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Committee ordered favorably reported with amendments H.R. 14262, making appropriations for fiscal year 1977 for the defense establishment. As approved, the bill would appropriate \$104,007,046,000.

PUBLIC DEPOSITS

Committee on Banking, Housing and Urban Affairs: Committee continued hearings on S. 3163, to permit the payment of interest on demand deposits which consist of public funds of the United States or of a State or a political subdivision or instrumentality of a State, receiving testimony from Representative Mottl; David Mosso, Fiscal Assistant Secretary of the Treasury; Lawrence Connell, Bank Commissioner, State of Connecticut, Hartford; Rex Morthland, Selma, Ala., representing the American Bankers Association; and Lennox L. Moak, Philadelphia, representing the Municipal Finance Officers Association.

Hearings were recessed subject to call.

TAX REFORM

Committee on Finance: Committee continued hearings on certain portions of the proposed Tax Reform Act of 1976 (H.R. 10612—currently under consideration by the Senate), receiving testimony from numerous public witnesses.

Hearings continue tomorrow.

TREATY POWERS

Committee on Foreign Relations: Committee held hearings on S. Res. 486, stating the sense of the Senate that any international agreement which involves a significant commitment to a foreign country constitutes a treaty and should be submitted to the Senate for its advice and

consent, receiving testimony from Richard A. Falk, Princeton University, Princeton, New Jersey; and Arthur Bestor, University of Washington, Seattle.

Hearings were recessed subject to call.

ALASKA PIPELINE

Committee on Interior and Insular Affairs: Committee held hearings to receive testimony concerning problems arising in the construction of the Trans-Alaska pipeline system, having as its witnesses Kent Frizzell, Under Secretary of the Interior; John W. Barnum, Deputy Secretary of Transportation; and Edward L. Patton, Alyeska Pipeline Service Company, Inc., Bellevue, Washington.

Hearings were recessed subject to call.

NOMINATIONS

Committee on Labor and Public Welfare: Committee concluded hearings on the nominations of Robert C. Chase, of Virginia, to be a Deputy Director of the Community Services Administration, and John A. Penello, of Maryland, to be a member of the National Labor Relations Board. Testimony on the nomination of Mr. Penello was received from Betty Southard Murphy, Chairman, National Labor Relations Board. The nominees testified and answered questions on their own behalf.

NOMINATION

Committee on Public Works: Committee concluded hearings on the nomination of Thomas L. Longshore, of Alabama, to be a member of the Board of Directors of the Tennessee Valley Authority, after receiving testimony from Senators Allen, and Sparkman; Representatives Buchanan, Dickinson, and Edwards; Robert Partridge, National Rural Electric Cooperative Association, Washington, D.C., accompanied by Dial Gibbs, Alabama Rural Electric Association, Montgomery; J. D. Brown, American Public Power Association, Washington, D.C., accompanied by J. Wiley Bowers, Tennessee Valley Public Power Association, Chattanooga; and Mary M. Wade, Tennessee Environmental Council, Nashville. The nominee testified and answered questions on his own behalf.

COMMITTEE SYSTEM

Temporary Select Committee to Study Senate Committees: Committee continued to receive testimony on problems of fragmented committee jurisdictions and multiple committee and subcommittee assignments of Senators. Witnesses heard were Senators Moss, Goldwater, Cranston, and Ford; Dr. H. Guyford Stever, Director, National Science Foundation; and Dr. James C. Fletcher, Administrator, National Aeronautics and Space Administration.

Hearings continue tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 27 public bills, H.R. 14779-14805; 2 private bills, H.R. 14806 and 14807; and 10 resolutions, H.J. Res. 1025-1028, and H. Res. 1411-1416 were introduced.

Pages 23217-23218

Bills Reported: Reports were filed as follows:

Conference report on H.R. 13655, Automotive Transport Research and Development Act of 1976 (H. Rept. 94-1351);

Report entitled "Report Pursuant to Section 302(b) of the Congressional Budget Act of 1974" (H. Rept. 94-1352);

H.R. 1144, tax treatment of social clubs and other membership organizations, amended (H. Rept. 94-1353);

H.R. 5161, tax treatment of income from certain magazine sales, amended (H. Rept. 94-1354);

H.R. 10155, tax treatment of certain income of political organizations, amended (H. Rept. 94-1355); and

H. Res. 1416, providing for the consideration of H.R. 14514, State cash-out status under the Social Security Supplemental Income program (H. Rept. 94-1356).

Page 23217

Commission on Administrative Review: Pursuant to H. Res. 1368, the Speaker appointed Representatives Obey, Price, Meeds, Hamilton, D'Amours, Frenzel, Armstrong, and Bauman; and from private life: Mr. Ralph Huitt of Washington, D.C., Mr. Charles U. Daly of Cambridge, Massachusetts, Ms. Lucy Bensen of Amherst, Massachusetts, Mr. William Du Chessi of Stratten, New York, Mr. William Hamilton of Washington, D.C., Mr. Robert W. Galvin of Schaumburg, Illinois, and Mr. Roscoe Egger of Washington, D.C. as members of the Commission on Administrative Review.

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Late Reports: Committee on Rules received permission to file certain privileged reports by midnight tonight.

Page 23131

Committee Election: Agreed to H. Res. 1411, electing Representative Sam B. Hall Jr., of Texas as a member of the Committees on the Judiciary and Veterans' Affairs.

Page 23131

Outer Continental Shelf: By a yea-and-nay vote of 247 yeas to 140 nays, the House passed H.R. 6218, Outer Continental Shelf Lands Act Amendments of 1976.

By a yea-and-nay vote of 151 yeas to 235 nays, rejected a motion to recommit the bill to the Ad Hoc Select Committee on the Outer Continental Shelf with instructions to report it back forthwith with sundry

amendments previously considered but rejected by the Committee of the Whole.

Agreed To:

Sundry, technical, clarifying, perfecting, and conforming amendments;

An amendment that allows a five year suspension period prior to the cancellation of any lease or permit (agreed to by a recorded vote of 247 ayes to 145 noes, with 1 voting "present");

Rejected a substitute amendment to the previous amendment that sought to permit suspension of leasing activities or cancellations of leases only after the interested parties had had an opportunity to correct the claimed errors and had an opportunity for a hearing (rejected by a recorded vote of 166 ayes to 225 noes);

An amendment that mandates the Secretary of the Interior to offer one-third of the leases of outer continental shelf areas under alternative leasing methods to the "front-end" bonus method;

An amendment as amended that allows the Secretary to exceed the limit of two-thirds of the total for "front-end" bonus leasing if either House of Congress issues a resolution of approval within 30 days;

An amendment restricting the area of leased tracts to 5,760 acres unless the Secretary finds that a larger tract is necessary for economic purposes;

An amendment that allows joint bids for OCS leases unless one of the joint bidders controls a daily production of oil in excess of 1.6 million barrels;

An amendment that strikes language providing that the Secretary has the authority to require increased production under conditions of national emergency;

An amendment that prohibits the Secretary from issuing or extending a lease if the Attorney General or the Federal Trade Commission determines that the lease is inconsistent with antitrust laws;

An amendment that clarifies the rights of innocent parties in joint ventures in the leasing of outer continental shelf lands;

An amendment that insures that Federal/State joint leasing does not delay the development of offshore lands if the Governor of the State declines the offer to engage in such joint leasing;

An amendment clarifying the responsibility of the Secretary in the size and location of outer continental shelf lands leasing;

An amendment that gives the Secretary 18 months after the date of the enactment of this bill to submit a leasing program;

An amendment that gives affected States an earlier opportunity to respond to the proposed leasing program of the Secretary;

An amendment that requires that the Secretary insure that public hearings be conducted in the location of those areas affected;

An amendment that deletes language requiring the Secretary to consider allegations of safety violations within 30 days of such allegations and submitting findings within 90 days;

An amendment that adds a new section that excludes suits filed under the provisions of the National Environmental Policy Act from the restrictions in the bill;

An amendment that clarifies that the cancellation of leases due to violations of safety regulations will not entitle lessees to any compensation;

An amendment that makes the provisions of the section on oil and gas development and production retroactive to frontier areas including those in Southern California;

An amendment that requires the preparation of at least one environmental impact statement in every region where there has been no previous development;

An amendment that adds a new section providing that development and production plans will be available to the Federal Power Commission for coordination purposes;

An amendment that prohibits the employment of any employee of the Department of the Interior, at or above the grade of GS-16, involved in the regulatory provisions of this bill, by any company governed by this bill for a period of two years after such employee leaves the Department;

Two amendments en bloc that clarify the jurisdiction of coastal zones for the management of oil spills;

An amendment that strikes the title making amendments to the Coastal Zone Management Act of 1972;

An amendment that adds a new section providing for rule and regulation review by the Congress (agreed to by a division vote of 59 ayes to 14 noes); and

An amendment that adds a new section prohibiting discrimination in any activity conducted pursuant to the provisions in the bill.

Rejected:

An amendment that sought to require the Coast Guard to work in conjunction with the Department of the Interior and the Department of the Army regarding safety regulations in waters of the outer continental shelf (rejected by a division vote of 16 ayes to 18 noes);

An amendment that sought to make it optional for the Coast Guard to mark for navigation, oil drilling rigs in the outer continental shelf (rejected by a recorded vote of 147 ayes to 242 noes. Previously, this amendment was agreed to by a division vote of 16 ayes to 14 noes);

An amendment that sought to delete language further requiring the Secretary to submit information required by the Attorney General and the Federal Trade Commission for their antitrust determinations;

An amendment that sought to insert a new section on jurisdictional controversy to require the Secretary to seek either cooperative development or division of fu-

ture revenues from leases that extend into or drain State lands (rejected by a division vote of 9 ayes to 17 noes);

An amendment that sought to delete language mandating geological exploration in frontier areas prior to their leasing (rejected by a division vote of 17 ayes to 23 noes);

An amendment that sought to provide that the Secretary must consider, in lieu of accepting, recommendations of a Regional Advisory Board or Governor of an affected State, concerning any proposed lease sale;

An amendment that sought to transfer the responsibility of baseline and monitoring studies from the Secretary of Commerce to the Secretary of the Interior (rejected by a division vote of 5 ayes to 20 noes);

An amendment that sought to leave the authority for issuing safety regulations applying to the construction and operation of offshore oil rigs to the Coast Guard (rejected by a recorded vote of 193 ayes to 193 noes);

An amendment that sought to strike language allowing citizens to commence a civil action against any person, including the United States, who violate any provision in the bill;

An amendment that sought to substitute language rewriting the reasons for which the Secretary may disapprove plans submitted by prospective lessees;

An amendment that sought to reduce the time the Secretary would have to approve or disapprove a plan, after considering comments and recommendations of public officials, from 120 to 60 days;

An amendment that sought to add a new section which would exclude from OCS oil drilling and production, any oil rig, vessel, or structure not wholly owned, manufactured, or operated by United States citizens (rejected by a division vote of 5 ayes to 47 noes). Earlier, a point of order against the amendment was overruled;

An amendment that sought to restrict unlimited liability for oil discharge damages to the owner or operator responsible; and

An amendment that sought to extend exceptions of defenses for damages to the costs of cleaning up oil spills (rejected by a division vote of 17 ayes to 39 noes).

Subsequently, this passage was vacated and S. 521, a similar Senate-passed bill, was passed in lieu after being amended to contain the language of the House bill as passed. Agreed to amend the title of the Senate bill.

The Clerk was authorized to correct punctuation, spelling, cross references, designations of titles, sections, and subordinate provisions in the engrossment of the bill.

Pages 23131-23191

Presidential Message—Endowment for the Humanities: Received and read a message from the President wherein he transmits the annual report of the National Endowment for the Humanities for fiscal year 1975—referred to the Committee on Education and Labor.

Page 23191

Subcommittee To Sit: Subcommittee on Financial Institutions Supervision, Regulation and Insurance of the Committee on Banking, Currency and Housing received permission to sit during proceedings of the House under the 5-minute rule tomorrow from 10 a.m. to 12 noon.

Page 23191

Referrals: Two Senate-passed measures were referred to the appropriate House committees. Pages 23216-23217

Adjournment: Adjourned at 8:22 p.m.

Committee Meetings

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Air Force reprogramming.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense continued hearings on the Navy shipbuilding program.

DOD COMMAND CONTROL AND COMMUNICATIONS SYSTEMS

Committee on Armed Services: Subcommittee on Investigations' Command Control and Communications Panel held an executive hearing on the Department of Defense Command Control and Communications Systems and Facilities. Testimony was heard from Admiral Noel Gayler, Commander-in-Chief, Pacific Command.

COMMITTEE BUSINESS

Committee on the Budget: Met for discussion on committee action on highway spending limitation, tax reform, budget re-estimates, and OMB proposal for changes in functional categories.

TIJUANA RIVER FLOOD CONTROL PROJECT

Committee on International Relations: Subcommittee on International Political and Military Affairs held a hearing on the Tijuana River Flood Control Project. Testimony was heard from Representative Van Deerlin; Joseph S. Friedkin, U.S. Commissioner, International Boundary and Water Commission; San Diego City Councilman Jess Haro; Timothy Dillon, Washington representative for Department of Water Resources, State of California; Mayor Burt Stites, Imperial Beach, Calif.; and representatives of Department of State; and Department of Defense.

RESOURCE CONSERVATION AND RECOVERY ACT

Committee on Interstate and Foreign Commerce: Subcommittee on Transportation and Commerce met for markup of H.R. 14496, Resource Conservation and Recovery Act of 1976, and will resume tomorrow.

MARITIME POLICY

Committee on Merchant Marine and Fisheries: Subcommittee on Merchant Marine resumed oversight hearings on maritime policy with testimony from a representative of the National Maritime Council.

Hearings continue Wednesday, July 28.

AMERICANS MISSING IN SOUTHEAST ASIA

Select Committee on Missing Persons in Southeast Asia: Held a hearing on Department of State efforts to gain an accounting for Americans missing in Southeast Asia. Testimony was heard from Under Secretary of State Philip Habib.

PROBLEMS FACING PROFESSIONAL SPORTS

Select Committee on Professional Sports: Began hearings on problems facing professional sports and Federal laws under which they operate. Testimony was heard from Commissioner of Baseball Bowie Kuhn; a panel representing baseball owners: Charles O. Finley, Oakland; Allan R. Selig, Milwaukee; John W. Galbreath, Pittsburgh; and Robert L. Howsam, Cincinnati; Football Commissioner Pete Rozelle; Joseph Robbie, Miami Dolphins; and William H. Sullivan, Jr., New England Patriots.

Hearings continue tomorrow.

STATE CASH-OUT STATUS UNDER SSI PROGRAM

Committee on Rules: Granted a closed rule providing one hour of general debate, providing that no amendment shall be in order except amendments recommended by the Committee on Ways and Means and the text of H.R. 14764 as a substitute, and said amendment shall not be subject to amendment, on H.R. 14514, to permit a State which no longer qualifies for hold-harmless treatment under the supplemental security income program to elect to remain a food stamp cashout State upon condition that it pass through a part of the 1976 cost-of-living increase in supplemental security income benefits and all of any subsequent increases in such benefits. Testimony was heard from Representatives Corman and Ketchum.

FEDERAL COUNCIL ON SCIENCE AND TECHNOLOGY

Committee on Science and Technology: Subcommittee on DISPA continued hearings on the role of the Federal Council on Science and Technology. Testimony was heard from Dr. W. Henry Lambright, Director, Science and Technology Policy Center, Syracuse University; and Dr. Bruce L. R. Smith, Professor of Political Science, Columbia University.

Hearings continue Friday, July 23.

URBAN MASS TRANSPORTATION ADMINISTRATION

Committee on Science and Technology: Subcommittee on Aviation and Transportation R & D continued oversight hearings on the Urban Mass Transportation Administration. Testimony was heard from John Hoban, Deputy Director, Port Authority for New York and New Jersey; and J. J. Welch, Sr. Vice President, Vought Corporation.

SBA PROGRAMS

Committee on Small Business: Subcommittee on SBA Oversight and Minority Enterprise continued hearings on SBIC and SBLC programs and selected SBA activities. Testimony was heard from John O. Flender, M.I.T. Development Foundation, Inc.; William H. Tritsch, Pennsylvania Growth Investment Corp.; David Engelson, National Association of Small Business Investment Companies; and Dr. Kenneth E. Knight, University of Texas.

Hearings continue tomorrow.

INTELLIGENCE COMMITTEE REPORT LEAK

Committee on Standards of Official Conduct: Continued hearings on the unauthorized publication of the report of the Select Committee on Intelligence. Testimony was heard from Representatives McClory and Kasten; Select Committee on Intelligence Counsels James Oliphant and John Boos; and Committee investigator Fred Kerschstein.

Hearings continue tomorrow.

ESTATE AND GIFT TAX REFORM ACT

Committee on Ways and Means: Continued markup of H.R. 13966, Estate and Gift Tax Reform Act of 1976, and will resume tomorrow.

Joint Committee Meeting**COAST GUARD AUTHORIZATION**

Conferees agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 11670, authorizing funds for fiscal year 1977 for activities of the Coast Guard.

Thursday, July 22, 1976

Senate**Chamber Action**

Routine Proceedings, pages 23277-23323

Bills Introduced: Four bills and two resolutions were